

105TH CONGRESS
1ST SESSION

H. R. 2516

To extend the Intermodal Surface Transportation Efficiency Act of 1991
through March 31, 1998.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1997

Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. PETRI, and Mr. RAHALL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To extend the Intermodal Surface Transportation Efficiency
Act of 1991 through March 31, 1998.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STATEMENT OF PURPOSE.**

4 This Act makes funds available for the Federal-aid
5 highway, highway safety, motor carrier safety, and mass
6 transportation programs for the first 6 months of fiscal
7 year 1998 by extending the Intermodal Surface Transpor-
8 tation Efficiency Act of 1991 to ensure the continuation
9 of such programs while a multiyear reauthorization is de-
10 veloped. This extension is structured to allow pro-

1 grammatic, apportionment formula, and funding adjust-
 2 ments for the second 6 months of fiscal year 1998 through
 3 enactment of a multiyear program.

4 **SEC. 2. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAM**
 5 **FUNDING.**

6 (a) IN GENERAL.—Section 1003 of the Intermodal
 7 Surface Transportation Efficiency Act of 1991 (105 Stat.
 8 1918–1922) is amended by adding at the end the follow-
 9 ing:

10 “(d) FEDERAL-AID HIGHWAYS FOR THE PERIOD OC-
 11 TOBER 1, 1997, THROUGH MARCH 31, 1998.—

12 “(1) IN GENERAL.—For Federal-aid highways
 13 and highway safety construction programs,
 14 \$11,942,375,000 are authorized to be appropriated
 15 out of the Highway Trust Fund (other than the
 16 Mass Transit Account) during the period October 1,
 17 1997, through March 31, 1998, and shall be distrib-
 18 uted in accordance with this subsection.

19 “(2) CERTAIN DISCRETIONARY PROGRAMS.—Of
 20 the amounts made available by paragraph (1), the
 21 Secretary shall deduct \$32,500,000 to carry out sec-
 22 tion 118(c)(2) of title 23, United States Code, for
 23 the period October 1, 1997, through March 31,
 24 1998, and shall deduct \$30,250,000 to carry out the

1 discretionary program under paragraphs (1) and (2)
 2 of section 144(g) of such title during such period.

3 “(3) STATE ALLOCATION PERCENTAGES.—

4 From amounts remaining after making the deduc-
 5 tions under paragraph (2) and application of para-
 6 graphs (4) and (5), the Secretary shall determine
 7 the amount to be apportioned among the States in
 8 accordance with the following table:

“State:	Percentage:
Alabama	2.0026
Alaska	1.0499
Arizona	1.4627
Arkansas	1.5268
California	8.9046
Colorado	1.0443
Connecticut	1.9229
Delaware	0.4057
District of Columbia	0.4436
Florida	4.4867
Georgia	3.2899
Hawaii	0.6435
Idaho	0.6314
Illinois	3.6779
Indiana	2.4581
Iowa	1.1364
Kansas	1.1383
Kentucky	1.6617
Louisiana	1.4831
Maine	0.6458
Maryland	1.4512
Massachusetts	3.5632
Michigan	3.0432
Minnesota	1.4547
Mississippi	1.1286
Missouri	2.2677
Montana	0.7857
Nebraska	0.7501
Nevada	0.6218
New Hampshire	0.4764
New Jersey	2.6851
New Mexico	0.8767
New York	5.7882
North Carolina	2.7408
North Dakota	0.5972
Ohio	3.4702
Oklahoma	1.5021

“State:	Percentage:
Oregon	1.1378
Pennsylvania	4.5007
Rhode Island	0.4708
South Carolina	1.6019
South Dakota	0.5990
Tennessee	2.0954
Texas	6.9197
Utah	0.6672
Vermont	0.4287
Virginia	2.4440
Washington	1.7603
West Virginia	1.1088
Wisconsin	2.0159
Wyoming	0.5999
Puerto Rico	0.4312.

1 “(4) STATE PROGRAMMATIC DISTRIBUTION.—

2 “(A) IN GENERAL.—Of the funds to be ap-
3 portioned to each State under paragraph (3),
4 the Secretary shall ensure that the State is ap-
5 portioned an amount of such funds, determined
6 under subparagraph (B), for the Interstate
7 maintenance program, the National Highway
8 System, the bridge program, the surface trans-
9 portation program, the congestion mitigation
10 and air quality program, minimum allocation
11 under section 157 of title 23, United States
12 Code, Interstate reimbursement under section
13 160 of such title, the donor State bonus under
14 section 1013(c) of the Intermodal Surface
15 Transportation Efficiency Act of 1991, hold
16 harmless under section 1015(a) of such Act, 90
17 percent of payments adjustments under section
18 1015(b) of such Act, metropolitan planning

1 under section 134 of such title, section 1015(c)
2 and sections 1103 through 1108 of such Act,
3 and funding restoration under section 202 of
4 the National Highway System Designation Act
5 of 1995.

6 “(B) FORMULA.—The amount which each
7 State is to be apportioned under this subsection
8 for each item referred to in subparagraph (A)
9 shall be in the same ratio that each State was
10 apportioned funds for such item or allocated
11 funds under sections 1103 through 1108 of the
12 Intermodal Surface Transportation Efficiency
13 Act of 1991 to the total of all such funds ap-
14 portioned and allocated to such State for such
15 items for fiscal year 1997.

16 “(C) MINIMUM ALLOCATION.—Not more
17 than \$319,500,000 of the funds apportioned to
18 States by this subsection for minimum alloca-
19 tion shall not be subject to any obligation limi-
20 tation.

21 “(D) SPECIAL RULE.—Amounts appor-
22 tioned to a State by this subsection for carrying
23 out sections 1103 through 1108 of the Inter-
24 modal Surface Transportation Efficiency Act of
25 1991 shall be available to such State for

1 projects eligible for assistance under chapter 1
2 of title 23, United States Code.

3 “(E) ADMINISTRATION.—Funds appor-
4 tioned, and funds allocated, under this sub-
5 section shall be administered as if they had
6 been apportioned or allocated, as the case may
7 be, under title 23, United States Code.

8 “(5) GENERAL OPERATING EXPENSES AND
9 OTHER DEDUCTIONS.—

10 “(A) GENERAL OPERATING EXPENSES.—
11 After making the determinations and before ap-
12 portioning funds under paragraphs (3) and (4),
13 the Secretary shall deduct the amount that
14 would be required to be deducted under section
15 104(a) of title 23, United States Code, from the
16 aggregate of amounts to be apportioned to all
17 States for programs to which the deduction
18 under such section would apply if such section
19 applied to such apportionment.

20 “(B) TERRITORIAL HIGHWAYS.—After
21 making the determinations and before appor-
22 tioning funds under paragraphs (3) and (4), the
23 Secretary shall deduct the amount required to
24 be deducted pursuant to section 104(b)(1) of
25 title 23, United States Code, for the Virgin Is-

1 lands, Guam, American Samoa, and the Com-
2 monwealth of the Northern Mariana Islands
3 from the aggregate amounts to be apportioned
4 to all States for the National Highway System
5 under this subsection.

6 “(6) NATIONAL RECREATIONAL TRAILS PRO-
7 GRAM.—Section 104(h) of title 23, United States
8 Code, is amended by inserting ‘and \$7,500,000 for
9 the period October 1, 1997, through March 31,
10 1998’ after ‘1997’.

11 “(7) WOODROW WILSON BRIDGE.—Section
12 104(i)(1) of title 23, United States Code, is amend-
13 ed by inserting ‘and for the period October 1, 1997,
14 through March 31, 1998’ after ‘1997’.

15 “(8) OFF-SYSTEM BRIDGES.—Section 144(g)(3)
16 of title 23, United States Code, is amended by in-
17 serting ‘and in the period October 1, 1997, through
18 March 31, 1998’ after ‘1997’ ”.

19 (b) FEDERAL LANDS HIGHWAYS.—Section
20 1003(a)(6) of the Intermodal Surface Transportation Ef-
21 ficiency Act of 1991 (105 Stat. 1919) is amended—

22 (1) in subparagraph (A) by inserting “and
23 \$95,500,000 for the period October 1, 1997,
24 through March 31, 1998” before the period;

25 (2) in subparagraph (B)—

1 (A) by striking “and” following “1995,”;
 2 and

3 (B) by inserting “and \$86,000,000 for the
 4 period October 1, 1997, through March 31,
 5 1998” before the period;

6 (3) in subparagraph (C)—

7 (A) by striking “and” following “1995,”;
 8 and

9 (B) by inserting “, and \$42,000,000 for
 10 the period October 1, 1997, through March 31,
 11 1998” before the period.

12 (c) CERTAIN ALLOCATED PROGRAMS.—

13 (1) HIGHWAY USE TAX EVASION.—Section
 14 1040(f)(1) of the Intermodal Surface Transportation
 15 Efficiency Act of 1991 (105 Stat 1992–1993) is
 16 amended by inserting “and \$2,500,000 for the pe-
 17 riod October 1, 1997, through March 31, 1998” be-
 18 fore the period at the end of the first sentence.

19 (2) SCENIC BYWAYS PROGRAM.—Section
 20 1047(d) of the Intermodal Surface Transportation
 21 Efficiency Act of 1991 (105 Stat. 1998) is amend-
 22 ed—

23 (A) by striking “and” following “1994,”;
 24 and

1 (B) by inserting “, and \$7,000,000 for the
2 period October 1, 1997, through March 31,
3 1998” before the period at the end of the first
4 sentence.

5 (3) FERRY BOAT CONSTRUCTION.—Section
6 1064(c) of the Intermodal Surface Transportation
7 Efficiency Act of 1991 (105 Stat. 2005) is amend-
8 ed—

9 (A) by striking “and” following “1996,”;
10 and

11 (B) by inserting “, and \$9,000,000 for the
12 period October 1, 1997, through March 31,
13 1998” after “1997”.

14 (d) FISCAL YEAR 1998 OBLIGATION LIMITATION.—

15 (1) AMENDMENTS TO ISTEA.—Section 1002 of
16 the Intermodal Surface Transportation Efficiency
17 Act of 1991 (105 Stat. 1916–1918) is amended—

18 (A) in subsection (a)—

19 (i) by striking “and” at the end of
20 paragraph (5);

21 (ii) by striking the period at the end
22 of paragraph (6) and inserting “; and”;
23 and

24 (iii) by inserting after paragraph (6)
25 the following:

1 “(7) \$21,500,000,000 for fiscal year 1998.”;

2 and

3 (B) by adding at the end the following:

4 “(i) SPECIAL RULE FOR FISCAL YEAR 1998.—The
5 Secretary shall distribute on October 1, 1997, 50 percent
6 of the limitation on obligations for Federal-aid highways
7 and highway safety construction programs imposed by the
8 Department of Transportation and Related Agencies Ap-
9 propriations Act, 1998, and 50 percent of such limitation
10 on July 1, 1998.”.

11 (2) LIMITATION.—Nothing in this section (in-
12 cluding the amendments made by this section) shall
13 apply to any funds made available before October 1,
14 1997, for carrying out sections 125 and 157 of title
15 23, United States Code, and sections 1103 through
16 1108 of the Intermodal Surface Transportation Effi-
17 ciency Act of 1991.

18 **SEC. 3. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

19 (a) NHSTA HIGHWAY SAFETY PROGRAMS.—Section
20 2005(1) of the Intermodal Surface Transportation Effi-
21 ciency Act of 1991 (105 Stat. 2079) is amended by insert-
22 ing “and \$83,000,000 for the period October 1, 1997,
23 through March 31, 1998” before the period at the end.

1 (b) ALCOHOL-IMPAIRED DRIVING COUNTER-
2 MEASURES.—Section 410 of title 23, United States Code,
3 is amended—

4 (1) in subsection (c) by striking “5” and insert-
5 ing “6”;

6 (2) in subsection (c)(3) by striking “and fifth”
7 and inserting “fifth, and sixth”;

8 (3) in subsection (d)(2)(B) by striking “two”
9 and inserting “3”; and

10 (4) in subsection (j) by inserting “and
11 \$12,500,000 for the period October 1, 1997,
12 through March 31, 1998” after “1997”.

13 (c) NATIONAL DRIVER REGISTER.—Section
14 30308(a) of title 49, United States Code, is amended—

15 (1) by striking “and” following “1994,”; and

16 (2) by inserting “, and \$1,855,000 for the pe-
17 riod October 1, 1997, through March 31, 1998”
18 after “1996”.

19 (d) OBLIGATION LIMITATION.—The total of all obli-
20 gations for highway traffic safety grants under section
21 402 and 410 of title 23, United States Code, for fiscal
22 year 1998 shall not exceed \$186,500,000.

1 **SEC. 4. FEDERAL TRANSIT PROGRAMS.**

2 (a) EXTENSION.—Title III of the Intermodal Surface
3 Transportation Efficiency Act of 1991 (105 Stat. 2087–
4 2140) is amended by adding at the end the following:

5 **“SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS**
6 **FOR THE PERIOD OCTOBER 1, 1997, THROUGH**
7 **MARCH 31, 1998.**

8 “(a) ALLOCATING AMOUNTS.—Section 5309(m) of
9 title 49, United States Code, is amended by inserting ‘and
10 for the period October 1, 1997, through March 31, 1998’
11 after ‘1997’.

12 “(b) APPORTIONMENT OF APPROPRIATIONS FOR
13 FIXED GUIDEWAY MODERNIZATION.—Section 5337(a) of
14 title 49, United States Code, is amended by inserting ‘and
15 for the period October 1, 1997, through March 31, 1998’
16 after ‘1997’.

17 “(c) AUTHORIZATIONS.—Section 5338 of title 49,
18 United States Code, is amended—

19 “(1) by adding at the end of subsection (a)(1)
20 the following:

21 ‘(F) \$1,284,792,000 for the period October 1,
22 1997, through March 31, 1998.’;

23 “(2) by adding at the end of subsection (a)(2)
24 the following:

25 ‘(F) \$213,869,000 for the period October 1,
26 1997, through March 31, 1998.’;

1 “(3) by adding at the end of subsection (b)(1)
2 the following:

3 “(F) \$1,162,708,000 for the period October 1,
4 1997, through March 31, 1998.’;

5 “(4) in subsection (c) by inserting ‘and not
6 more than \$1,500,000 for the period October 1,
7 1997, through March 31, 1998’ after ‘1997.’;

8 “(5) in subsection (e) by inserting ‘and not
9 more than \$3,000,000 is available from the Fund
10 (except the Account) for the Secretary for the period
11 October 1, 1997, through March 31, 1998’ after
12 ‘1997.’;

13 “(6) in subsection (h)(3) by inserting
14 ‘\$3,000,000 is available for section 5317 for the pe-
15 riod October 1, 1997, through March 31, 1998’
16 after ‘1997’;

17 “(7) in subsection (j)(5)—

18 “(A) by striking ‘and’ at the end of sub-
19 paragraph (B);

20 “(B) by striking the period at the end of
21 subparagraph (C) and inserting ‘; and’; and

22 “(C) by adding at the end the following:

23 “(D) the lesser of \$1,500,000 or an amount
24 the Secretary determines is necessary is avail-

1 able for the period October 1, 1997, through
2 March 31, 1998.’;

3 “(8) in subsection (k) by striking ‘or (e)’ and
4 inserting ‘(e), or (m)’; and

5 “(9) by adding at the end the following:

6 ‘(m) SECTION 5316 FOR THE PERIOD OCTOBER 1,
7 1997, THROUGH MARCH 31, 1998.—Not more than the
8 following amounts may be appropriated to the Secretary
9 from the Fund (except the Account) for the period Octo-
10 ber 1, 1997, through March 31, 1998:

11 ‘(1) \$125,000 to carry out section 5316(a) of
12 this title;

13 ‘(2) \$1,500,000 to carry out section 5316(b) of
14 this title;

15 ‘(3) \$500,000 to carry out section 5316(c) of
16 this title;

17 ‘(4) \$500,000 to carry out section 5316(d) of
18 this title; and

19 ‘(5) \$500,000 to carry out section 5316(e) of
20 this title.’”.

21 (b) OBLIGATION LIMITATIONS.—

22 (1) DISCRETIONARY GRANTS AND LOANS.—The
23 total of all obligations from the Mass Transit Ac-
24 count of the Highway Trust Fund for carrying out
25 section 5309 of title 49, United States Code, relat-

1 ing to discretionary grants and loans, for fiscal year
2 1998 shall not exceed \$2,000,000,000.

3 (2) FORMULA TRANSIT PROGRAMS.—The total
4 of all obligations for formula transit programs under
5 sections 5307, 5310(a)(2), 5311, and 5336 of title
6 49, United States Code, for fiscal year 1998 shall
7 not exceed \$2,210,000,000.

8 **SEC. 5. MOTOR CARRIER SAFETY PROGRAM.**

9 (a) EXTENSION.—Section 4002 of the Intermodal
10 Surface Transportation Efficiency Act of 1991 (105 Stat.
11 2140–2144) is amended by adding at the end the follow-
12 ing:

13 “(m) EXTENSION OF MOTOR CARRIER SAFETY AS-
14 SISTANCE PROGRAM FOR PERIOD OCTOBER 1, 1997,
15 THROUGH MARCH 1, 1998.—Section 31104(a) of title 49,
16 United States Code, is amended by adding at the end the
17 following:

18 “(6) not more than \$45,000,000 for the period
19 October 1, 1997, through March 31, 1998.’”.

20 (b) OBLIGATION LIMITATION.—The total of all obli-
21 gations for carrying out the motor carrier safety program
22 under section 31102 title 49, United States Code, for fis-
23 cal year 1998 shall not exceed \$85,325,000.

1 **SEC. 6. EXTENSION OF RESEARCH PROGRAMS.**

2 (a) BUREAU OF TRANSPORTATION STATISTICS.—

3 Section 6006 of the Intermodal Surface Transportation
4 Efficiency Act of 1991 (105 Stat. 2172–2174) is amend-
5 ed—

6 (1) by inserting “(a) IN GENERAL.—” before
7 “Chapter I”; and

8 (2) in subsection (b)—

9 (A) by striking “and” following “1996,”;

10 (B) by inserting “, and \$12,500,000 for
11 the period October 1, 1997, through March 31,
12 1998” after “1997”.

13 (b) INTELLIGENT TRANSPORTATION SYSTEM.—Sec-
14 tion 6058(b) of the Intermodal Surface Transportation
15 Efficiency Act of 1991 (105 Stat. 2194) is amended by
16 inserting “and \$56,500,000 for the period October 1,
17 1997, through March 31, 1998” after “1997”.

18 **SEC. 7. FINAL ASSEMBLY OF BUSES.**

19 In applying the requirements of section 5323(j) of
20 title 49, United States Code, to buses purchased using
21 funds made available by this Act, the Secretary shall re-
22 quire that the final assembly of such buses be conducted
23 in the United States, including, at a minimum, the instal-
24 lation and interconnection of the engine, transmission, and
25 axles, including the cooling and braking systems; the in-
26 stallation and interconnection of the heating and air condi-

1 tioning equipment; the installation of pneumatic and elec-
2 trical systems, door systems, passenger seats, passenger
3 grab rails, destination signs, and wheelchari lifts; and road
4 testing, final inspection repairs, and preparation of the ve-
5 hicles for delivery.

